



**FARMERS  
BRANCH**

"BEST LIVING PLACE"

ORDINANCE NO. 1664

AN ORDINANCE OF THE CITY OF FARMERS BRANCH, TEXAS AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF FARMERS BRANCH, AS HERETOFORE AMENDED, BY GRANTING A SPECIFIC USE PERMIT FOR A CHURCH IN THE PLANNED DEVELOPMENT 34 ZONING DISTRICT AND LOCATED AT THE SOUTHWEST CORNER OF HAVENHURST STREET AND ELDER STREET; PROVIDING FOR CONDITIONS OF OPERATION; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO HUNDRED DOLLARS (\$200.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR INJUNCTIVE RELIEF; AND DECLARING AN EMERGENCY.

Whereas, the City Plan Commission of the City of Farmers Branch and the governing body of the City of Farmers Branch, in compliance with the Charter of the City of Farmers Branch, and the State Law with reference to granting a specific use permit under the Zoning Ordinance Regulations and Zoning Map, have given the requisite notices by publication and otherwise, after holding due hearings and affording a full and fair hearing to all the property owners generally, and to the persons interested and situated in the affected area and in the vicinity thereof, the governing body of the City of Farmers Branch is of the opinion that said changes in zoning uses should be made;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH, TEXAS:

SECTION 1. That the Comprehensive Zoning Ordinance of the City of Farmers Branch, Texas, be, and the same is hereby amended by granting a Specific Use Permit for a Church in Planned Development 34 Zoning District. Said Church shall be located more specifically to the location designated in Exhibit "A".

SECTION 2. That the Comprehensive Zoning Ordinance of the City of Farmers Branch is hereby amended by amending the zoning map of



the City of Farmers Branch as to indicate a Specific Use Permit for a Church in Planned Development (PD-34) zoning district.

SECTION 3. That the above described Church shall be constructed in the manner setforth in the approved site plan attached as Exhibit "B".

SECTION 4. That the above described property shall be used only in the manner and for the purpose provided by the Comprehensive Zoning Ordinance of the City of Farmers Branch as herein amended and by the granting of a Specific Use Permit for a Church in the PD-34 zoning district.

SECTION 5. That if any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Farmers Branch, and upon conviction shall be punished by a fine not to exceed the sum of Two Hundred Dollars (\$200.00) for each offense.

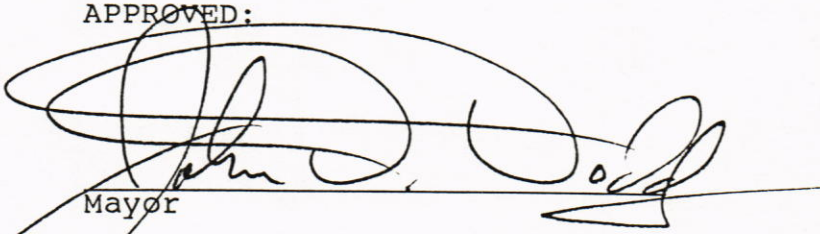
SECTION 6. If any section, paragraph, subsection, clause, phrase, provision or word of this ordinance shall be judged invalid or unconstitutional, the same shall not affect the validity of this ordinance as a whole or any portion thereof other than that portion so decided to be invalid or unconstitutional.

SECTION 7. In addition to and accumulative of all other penalties, the City shall have the right to seek injunctive relief for any and all violations of this ordinance.

SECTION 8. Whereas, it appears that the above described property requires that it be given the Specific Use Permit in order to permit its proper use and development, and in order to protect the public interest, comfort and general welfare of the City of Farmers Branch, and creates an urgency and an emergency in the preservations of the public health, safety and welfare, and requires that this ordinance shall take effect immediately from and after its passage and publication of the caption of said ordinance as the law in such case provides.

DULY PASSED by the City Council on the 8th day  
of December, 1986.

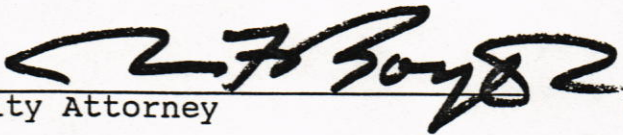
APPROVED:

  
Mayor

APPROVED AS TO FORM:

ATTEST:



  
City Attorney \_\_\_\_\_ City Secretary



# Exhibit "A"

have GRANTED, SOLD AND CONVEYED, and by these presents do GRANT, SELL AND CONVEY unto

of the County of Dallas INA DEE JORDAN and State of Texas, all of

the following described real property in Dallas County, Texas, to-wit:  
LOT, TRACT, or PARCEL of land lying and being in the Town of Farmers Branch, in Dallas County, Texas part of the Thos. Keenn Survey, and being all of the 1.05 acres of land which was conveyed to George Rasberry by J. W. Field by deed which is now of record in Vol. 1779 page 243 Deed Records of Dallas County, Texas, and which is described by metes and bounds as follows:

Beginning at the intersection of the East line of the right of way of the M.K. & T.R.R. with the South line of 96 acres tract of land which was conveyed by Thos. Keenn and wife to Mary Newby by deed recorded in Vol. "X" page 439 Deed Records of Dallas County, Texas, said point of beginning being 50 feet in an Easterly direction at right angles to the tract center of said railroad; Thence East with said line of said 96 acres tract 217 feet to the fence line on the West side of a Lane or Road; Thence South with the fence line 250.5 feet to corner of same; Thence West 151 feet to the East line of said right of way of said railroad; Thence North 15 degrees West with said railroad right of way line 259 feet, and containing 1.05 of an acre of land.

TO HAVE AND TO HOLD the above described premises, together with all and singular the rights and appurtenances thereto in anywise belonging, unto the said grantee, her heirs and assigns forever; and I do hereby bind myself, my heirs, executors and administrators to

WARRANT AND FOREVER DEFEND all and singular the said premises unto the said grantee, heirs and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof, by, through or under me, but not otherwise.

EXECUTED this 11th day of

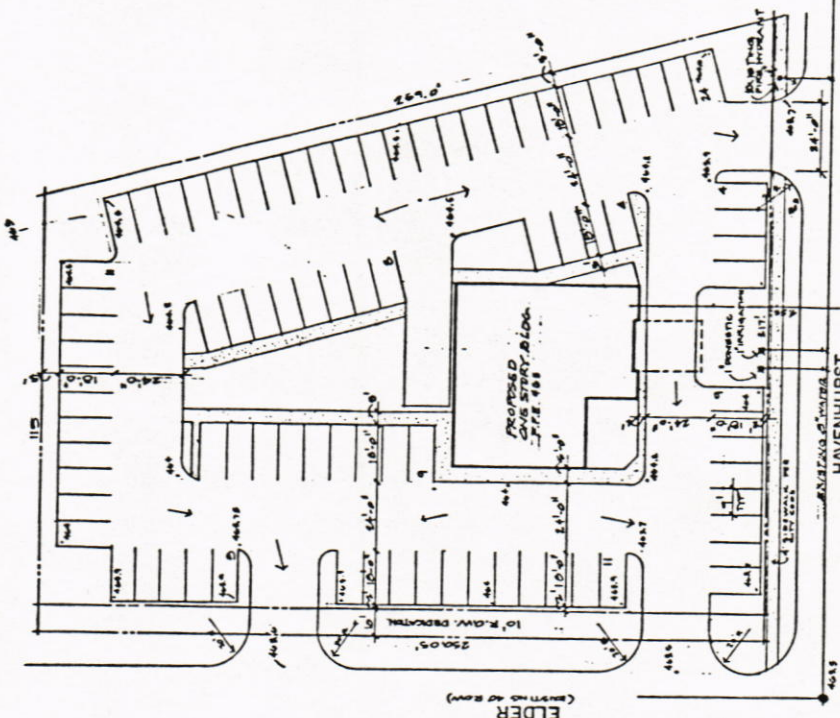
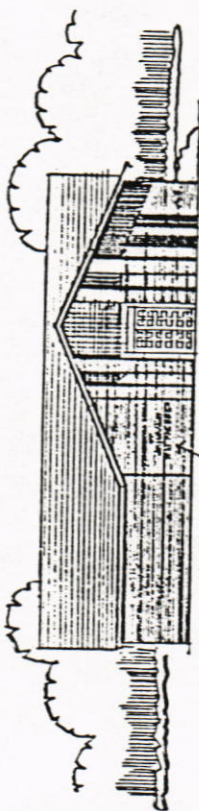
June 19 86

A.D. 19 86:

INA DEE JORDAN  
LONA JACIE FLETCHER

Exhibit "A"

36118-0695



PROJECT TABULATION

SITE AREA	4,000 SF
CONCRETE AREA	571 SF
LANDSCAPE	500 SF
PARKING	150 SF
SEATING	150 SF
TOTAL REQUIRED	75
TOTAL PROVIDED	85

1 SITE PLAN  
SCALE 1" = 1'-0"

Exhibit "B"



The Commission asked Mr. Cervenka, the City's Traffic Engineer, if the rights-of-way standards spelled out in the Comprehensive Plan were consistent with the rights-of-way requirements presented to the applicant.

Mr. Cervenka stated that the rights-of-way standards were consistent with what has been required by adjacent property owners.

Mr. Sheveland stated a concern for the rights-of-way on Luna, Valley View and the North South System in Phase Two, and suggested that construction be limited to Phase One.

The Commission entered into a discussion with the applicant stating its concern for the development of the lake area and building height requirements.

Mr. Sheveland made a motion to approve a "Partial District Concept Plan" for this property which extends on the applicants plan from Luna Rd. on the west to just beyond "Street E" on the east and everything that's shown from I-635 up to Valley View Lane and adjoining property excepting any ROW that's shown on Luna Road and Valley View to be held for future decision. The area just east of "Street E" to the eastern property line will be subject to future approval of another "Partial District Concept Plan" once the street alignments of that area are agreed upon. The motion was seconded by Mrs. Ingle, with all member voting "aye".

Following Mr. Trimble asked the Commission whether the road alignments should be set by deed or by plat.

The Commission stated that its preference would be by plat.

PUBLIC HEARING: CONSIDER REQUEST OF R. ROY MCWHORTER  
FOR A SPECIFIC USE PERMIT TO ALLOW A CHURCH IN PLANNED  
DEVELOPMENT 34 ZONING DISTRICT AT THE SOUTHWEST CORNER  
OF HAVENHURST STREET AND ELDER STREET AND TAKE  
APPROPRIATE ACTION.

Mr. Pettigrew stated that the applicant is requesting approval to build a 3712 sq. ft. church with a 210 seating capacity on a 46,000 sq. ft. site. A Specific Use Permit is required before a building permit may be issued in PD-34. The Staff recommends that the Specific Use Permit be granted subject to replatting the property and entering into a developer's contract.

Mr. Charles Boyd of 3109 S. First in Garland was present to represent the applicant. Mr. Boyd explained briefly the



intentions of the church to landscape and make provisions for parking.

The Commission asked if there was anyone in the audience who opposed or approved of the request.

Mr. Cal Cecil of Lone Star Ceramics stated that he was opposed to the request due to insufficient parking in the area. Mr. Cecil stated further that his factory produces noise and would be a nuisance to the church.

A motion was made and seconded to close the public hearing, with all Commission Members voting "aye". The public hearing closed.

The Commission entered into a discussion concerning parking requirements and compatibility between the church and surrounding businesses.

Mr. Long made a motion to approve the Specific Use Permit as submitted. Mrs. Ingle seconded the motion, with all members voting "aye". The motion carried.

PUBLIC HEARING: CONSIDER THE FARMERS BRANCH DRAFT  
COMPREHENSIVE PLAN SUBMITTED BY SEDWAY COOKE ASSOCIATES  
FOR RECOMMENDATION OF APPROVAL AND TAKE APPROPRIATE  
ACTION.

Mr. Pettigrew stated that Staff had no recommendation at this time.

Mr. Perry Profit of 3634 Ford Circle in Farmers Branch, stated a concern for Item No. 4 of the Comprehensive Plan.

Mr. Thomas Clark of 14001 Dallas North Parkway spoke on behalf of Farmers Branch Chamber of Commerce. Mr. Clark asked if a study group could be established to further review and condense the Comprehensive Plan.

Mr. Wayne Cloud at 13777 Midway Rd. spoke on behalf of Mobil Oil. Mr. Cloud stated Mobile Oils concerns for the guidelines for the proposed park, open space and building heights requirements established in the Comprehensive Plan.

Mr. Long made a motion to continue this item until the December 15, 1986 Planning and Zoning meeting. The motion was seconded by Mr. Byrd, with all members voting "aye".

Chairman Seiley lead a brief discussion on establishing a work session between 3 members of the Commission and the Farmers